

Remarks/Arguments

This amendment is in response to the Office Action dated December 1, 2003.

Claims 1-20, 22-28, 30 and 31 remain in this application. New Claims 32 -35 have been added to further delineate the present invention in its single well format . Support for these claims is found at page, 6, lines 5-15 and page 9, lines 16 –23.

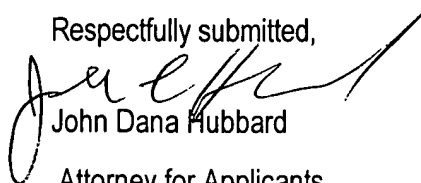
Remaining claims 1,3, 5, 7-10,15, 17, 19-20 and 23-28, 30 and 31 have been rejected under 35 USC 103(a) over Clark '133 in view of Root "564.

Neither Clark nor Root teach or suggest a process for recovering proteins, nucleic acids and the like using a constant pressure differential and doing so either with the reduced or eliminated need for a diafiltration step. Neither is concerned with the removal of salts or other contaminants as is the case in the present invention. What has been unexpectedly discovered in using the present invention is that one can remove such salts and other contaminants from a solution often without the need to diafilter at all. This provides the user with a purer sample in shorter time. Such an advantage was neither known nor inherent in the prior art and provides one with a significant advantage in the art of recovering nucleic acids and proteins. As such it is believed that the present claims are in condition for allowance.

Claims 2, 4, 6, 11-14, 16, 18 and 22 are indicated as being allowable.

Reconsideration and allowance of the remaining claims is respectfully requested in view of
the foregoing amendment and remarks.

Respectfully submitted,



John Dana Hubbard

Attorney for Applicants

Reg. No. 30, 465

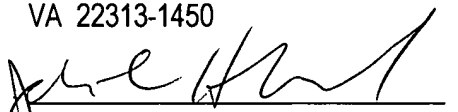
May 28, 2004
Millipore Corporation
290 Concord Road
Billerica, Massachusetts 01821
Tel.: (978) 715-1265
Fax: (978) 715-1382

Certificate of Mailing/Transmission (37 CFR 1.8)

I hereby certify that this correspondence is, on the date shown below, being:

Mailing

☒ deposited with the United States
Postal Service with sufficient postage a
first class mail in an envelope
addressed to the Commissioner for
Patents, P.O. Box 1450, Alexandria,
VA 22313-1450



John Dana Hubbard, Reg. No 30,465
Date: May 28, 2004

Facsimile

☐ transmitted by facsimile to the Patent and
Trademark Office at (703)____-____.

John Dana Hubbard, Reg. No 30,465
Date: May 28, 2004

Appl No 09/936,668

Amdt dated May 28, 2004

Reply to Office Action of December 1, 2003

13